

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

DANIEL PRESTON,

Plaintiff

v.

ABSECON MILLS, INC.,

Defendant

Civil Action No.

12 CIV 1393

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* ABSECON MILLS, INC.
Aloe & Vienna Avenues
Cologne, NJ

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

Date: 02/24/2012

(Signature)
Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DANIEL PRESTON,

:

12 CV 1393 (ALC)(JLC)

Plaintiff,

:

-against-

:

ABSECON MILLS, INC.,

:

CERTIFICATE OF SERVICE

Defendant.
-----X

The undersigned hereby certifies that on February 24, 2012, the summons and complaint were served on defendant Absecon Mills, Inc., by serving same electronically (with a hard copy following by FedEx) on Jay Safer, Esq., counsel for defendant, who stated that he was authorized to accept service on behalf of defendant, as reflected in the attached letter. The summons and complaint were delivered to Mr. Safer at the following address:

Jay G. Safer, Esq.
Locke Lord LLP
3 World Financial Center, 20th Floor
New York, New York 10281-2101
JSafer@lockelord.com



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MIRANDA & ESTAVILLO

February 24, 2012

BY E-MAIL AND FEDEX

Jay G. Safer, Esq.
Locke Lord LLP
3 World Financial Center, 20th Floor
New York, New York 10281-2101

Re: Preston v. Absecon Mills, Inc. (12 CV 1392) (ALC)(JLC)

Dear Mr. Safer:

As we discussed earlier this afternoon, based on your agreement to accept service of the complaint by e-mail on behalf of Absecon Mills, Inc., without waiving any defenses Absecon Mills, Inc. may have, I am forwarding a copy of the complaint. A hard copy of the complaint is also being sent by FedEx as a courtesy.

Very truly yours,



Fran M. Jacobs

Enclosure